THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.NO.28306 OF 1995

ORDER:

It is the case of the petitioner that when a vacancy of Assistant Executive Engineer (Mechanical) arose, in view of suspension of the regular candidate, the petitioner was appointed against the said vacancy of Assistant Executive Engineer (Mechanical) with effect from 07.03.1991 on adhoc basis.

Subsequently, on a regular selection the petitioner was selected against vacancy reserved for Scheduled Tribe candidate and the same was notified to the D.P.C. on 12.10.1994.

Now the only grievance of the petitioner is that the period from 07.03.1991 to 12.10.1994 would have been treated as regular appointment against the vacancy of Assistant Executive Engineer (Mechanical), since he was working on ad hoc basis. The representation of the petitioner was considered by the respondents and an order dated 17.10.1991 was passed rejecting the case of the petitioner. It was informed through the letter dated 17.10.1995 that the petitioner was appointed as AEE(M) on ad hoc basis pending appointment of Scheduled Tribe candidate available in the line of promotion as per 40 point relevant roster and the ad hoc promotion of the petitioner has been regularized from the date of selection after his regular appointment. Therefore, the request of the petitioner for promotion as Assistant Executive Engineer (M) from the date of original ad hoc appointment i.e. with effect from 7.10.1991 cannot be considered.

In view of the above, I am of the opinion that the petitioner was promoted on ad hoc basis since the regular candidate was under suspension and thereafter he was dismissed from service,

since the petitioner was next in the panel/roster, therefore, he was on promotion on ad hoc basis till the vacancy for ST candidate was filled up. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

_____

17-10-2006

kvrm